

MINUTES

282nd Meeting Contractors' Registration and Licensing Board June 12, 2013

(A) The meeting was called to order by the Vice-Chairman, Edgar Ladouceur, at 12:41 PM.

(B) Approval of the agenda and order of business was accepted on a motion by Mr. Eric Wishart and seconded by Mr. Arthur Salisbury.

**(C) The minutes of the 281st meeting were approved by Mr. Arthur Salisbury,
and seconded by Mr. David Caldwell.**

(D) Court Case Update: June 2013 Statistics

June 2013 - Court Ordered Restitution/Fines:

| Contactor | Claim/File | Fines | Restitution | Complainant |
|---------------------|-------------------|-----------------|------------------------|--------------------|
| Lynch, J. | Claim 6720 | - 1,500 | MacCauley | |
| Broccoli, M. | Claim 7247 | - 12,525 | Brocchi | |
| Paz, J. | Claim 7655 | - 20,000 | Naing (settled) | |

Totals: Fines: \$ -

Restitution: \$34,025

TOTAL: \$ 34,025

June 2013 - Funds Received Via CRB:

| Contractor | Claim/File | Fines | Restitution | Complainant |
|-------------------|-------------------|--------------|--------------------|--------------------|
|-------------------|-------------------|--------------|--------------------|--------------------|

| | | | | |
|------------------|-------------------|--------------|--|-------------|
| Jones, J. | Claim 7923 | - 600 | | Nani |
|------------------|-------------------|--------------|--|-------------|

| | | | | |
|-----------------|-------------------|--------------------------------|--|-----------------|
| Hook, J. | Claim 7447 | - 30,000 (paid in full) | | Bouchard |
|-----------------|-------------------|--------------------------------|--|-----------------|

Totals: Fines \$

Restitution \$ 30,600

TOTAL: \$ 30,600

Upcoming court dates:

Status of Administrative Appeals:

Kapucinski v. CRB – filed Motion to Dismiss.

Ribeiro 1 (2009 case) v. CRB – Decision in favor of State/CRB. Appeal dismissed.

Ribeiro 2 (2010 case) v. CRB – pending assignment to a judge for decision.

Ribeiro 3 (2012 case) v. CRB – Filing motion to Dismiss.

(E) Review of Pending Issues with the Building Officials Association:

1.) The Building Officials were represented at this meeting by Stan Pikel and Brad Ward. They provided the Board with information in regard to the new codes being implemented effect on July 1, 2013 and talked about the affidavit required by building officials and permits. Discussion on non-registered contractors and enforcement was another topic, which teaming up with the building officials was extremely important. Training sessions are continuing to be conducted to assure all building officials and inspectors are aware of the code changes.

(F) Consideration of Cases on Appeal and Oral Argument:

APPEALS and MOTIONS:

1. 12:40 PM: Claim #7755 Fallon vs. Linda Pace, Pace Granite Kitchen & Bath, Registration #33913, Exceptions filed by the Respondent. Board reviewed the exceptions filed and listened to testimony. Upon reviewing the file and this being the second time that the claim had been referred back to the Board, after a thorough review, a motion was made by Edgar Ladouceur and seconded by J. Lawrence Brillion and Thomas Furey to remand this matter back to a new hearing with a new hearing officer and have the investigator present for cross examination. Matter passed unanimously.

EXPUNGEMENTS:

- 1. 1:00 PM: Expungement request for Registration #13617, J.C. Building and Improvements Insurance Violation #3005 1 & 2. Upon review motion by J. Lawrence Brillion and second by Arthur Salisbury to deny this request, passed unanimously.**
- 2. 1:05 PM: Expungement request for Registration #22195, Harold Jay Palmer for violation #8435 #1 NRB. Upon review, motion by Art Salisbury and seconded by Robert Cardoza to deny: motion passed unanimously.**
- 3. 1:10 PM: Request from Wayne Cushman to remove information from web-site regarding his registration #10007. Board reviewed this request and decided to remove the address and phone number from our listing. Motion was made by J. Larry Brillion and seconded by Eric Wishart and unanimously approved for such action.**
- 4. 1:15 PM: Request from Robert Reiff, Reiff Construction, Registration #4237, for expungement of violation #5310 #1, & #2, Insurance. A motion was made by Ed Ladouceur and seconded by Dave Caldwell to table this matter until next month to give Mr. Reiff time to get more information. Arthur Salisbury recused himself from participating in this matter and filed a conflict of interest form for ethics. Motion carried unanimously.**

5. 1:20 PM: Request from Cobalt Construction, John Laquale, Registration #25552, for expungement of claim #7632; Chris Clarke vs Laquale. The file was obtained and reviewed by the Board and letter emailed reviewed. Motion was made by J. Larry Brillion and second by Art Salisbury to deny this request. Upon discussion motion was called and Board unanimously denied this request.

(G) Report of the Executive Director and Staff:

(1) Statistics Report: 06/12/2013

Registrations:

| | |
|----------------------------------|-------|
| Number of Registered Contractors | 11373 |
| Number of Cards Surrendered | 6207 |
| Number of Cards Expired/Lapsed | 17061 |
| Number of Cards Invalidated | 1288 |
| Number of Cards Suspended | 503 |
| Number of Cards Revoked | 108 |

Registration Actions

05/08/2013-06/12/2013

| | |
|--------------------------------------|-----|
| Number of New Registered Contractors | 123 |
|--------------------------------------|-----|

05/08/2013-06/12/2013

Violations:

| | |
|------------------------------------|-------------|
| Action Against Registration | 35 |
| Advertising | 6 |
| Non-Registered Subcontractors | |
| 25 | |
| Cancelled Insurance | 1328 |
| Notice of Hearing | 3 |
| Non-Registered Contractor | |
| 839 | |
| TOTAL RECORDS | 2236 |

Number of New Violations **129**
05/08/2013-06/12/2013

Lapsed Registrations/Never Re-Newed:

| | |
|--------|------|
| May | 2012 |
| 117 | |
| June | 2012 |
| 117 | |
| July | 2012 |
| 106 | |
| August | 2012 |

99

September

2012

99

October

2012

72

November

2012

66

December

2012

71

January

2013

48

February

2013

42

March

2013

89

April

2013

142

May

2013

136

Month

Tickets Issued

Fines

January

0

\$00.00

| | |
|----------------------|-----------|
| June | 3 |
| \$550.00 | |
| July | 1 |
| \$250 | |
| August | 11 |
| \$2,750.00 | |
| September | 11 |
| \$4,100.00 | |
| October | 9 |
| \$2,450.00 | |
| November | 10 |
| \$2,000.00 | |
| December | 5 |
| \$1,600.00 | |
| January 2013 | 4 |
| \$1,200.00 | |
| February 2013 | 3 |
| \$ 525.00 | |
| March 2013 | 0 |
| \$.00 | |
| April 2013 | 13 |
| \$3,800.00 | |
| May 2013 | 10 |
| \$2,900.00 | |

Commercial Roofers:

Number of Registered Roofers

141

Number of New Registered Contractors 1

Number of Renewed Roofer Contractors 140

Number of Cards Surrendered 21

Number of Expired/Lapsed 61 Registrations Invalidated 1

Registrations Suspended 0

Registrations Revoked 0

(H) Old Business:

(1.) Review of regulations, laws and standards, established by sub-committee,

report of committees and progress. The Boards attorney has been working with the executive director to get the regulations formulated for the committee to review and it was decided that each month we will spend some time reviewing the changes and try to have a completed package ready for public hearing. This month's package included the re-write of the construction standards which was reviewed by the Board members and some suggestions and modifications were submitted as well as Division #1 and #2. These matters will be discussed and reviewed at the next meeting.

(I) New Business:

(1.) Budget: The new RFP to purchase two new card machines which was bid and waiting for selection of a vendor.

(2.) Computer Software Program Update on Progress (DBR), CAVU; Board

has been proceeding and making progress. Projected date has now been

moved to July 22, 2013. Still major problems in transferring documents

into the new system which is being worked on to assure a smooth

transition.

(3) Positions: The Board was advised that interviews for the position of Sr.

State Building Official were conducted and currently awaiting applicant

approval from personnel. Also waiting on position for enforcement aide

or other position.

(4.) Legislation; Home Inspector legislation was submitted for this

years session; as well as underground utilities. Some Board members and

the Director for the Board were interviewed in regard to implementing this

program. Additionally, a new bill was heard by the House

Finance

Committee regarding a new Commerce Department being formed which

would merge code enforcement and licensing Board.

(5.) Request for Proposal: The Board will have to develop a new RFP to seek

testing companies to provide the RICRLB with an avenue to test Home

Inspectors, Commercial Roofers and Well Drillers. This hopefully will

be put forth shortly and may include other disciplines.

(J) Public Comment: None

(K) Announcements: The next Board meeting is scheduled for Wednesday

August 14, 2013 at 12:30 PM Conference Room "A", 2nd

Floor, One Capitol Hill, Providence, Rhode Island.

(L) Adjournment: A motion was made by Mr. Eric Wishart and seconded by Mr.

Martin Ezeama, to adjourn at 3:10 PM.

Members Present: Michael Fox, Arthur Salisbury, Eric Wishart, Martin Ezeama, J.L.Brillion, David Caldwell, William Geddes, Tom Furey, William Nash, Robert Cardoza and Edgar Ladouceur.

Members Absent: Ronald Caniglia, Felix Carlone, Paul Brunetti and Steve Carlino.

Others Present: George Whalen (Executive Director), Ariele Yaffee (Attorney Generals Office, legal counsel), stenographer, staff, parties for appeal and expungements and staff.

Respectfully Submitted,

**George W. Whalen
Executive Director
Rhode Island Contractors' Registration and Licensing Board**